



ARIZONA HOUSE OF REPRESENTATIVES

HB 2404: initiatives; circulators; signature collection; contests

PRIME SPONSOR: Representative Leach, LD 11

BILL STATUS: [House Engrossed](#)

GOV: DPA (5-3-0-0)

Legend:

Fund – Initiative and Referendum Integrity

Fund

PAC – political action committee

SOS – Secretary of State

Amendments – **BOLD** and ~~Stricken~~ (Committee)

Abstract

Relating to paid circulators of statewide initiative and referendum measures.

Provisions

1. Prohibits a person from paying or receiving money or any other thing of value based upon the number of signatures collected:
 - a. Classifies a violation as a Class 1 misdemeanor ([6 months/\\$2,500 plus surcharges](#)).
2. Permits a person or organization that submits an application or a PAC that intends to support or oppose a measure to submit a copy of the proposed law, referral or amendment to the Director of Legislative Council at any time after filing an application.
3. Permits a person to challenge the lawful registration of circulators in the superior court of the county in which the circulator is registered within 10 days, rather than 5 days, after the final date on which the petitions for the circulator must be registered.
4. Permits any person to contest the validity of an initiative or referendum.
5. Requires multiple actions contesting the validity to be consolidated before the Maricopa County Superior Court.
6. Permits any person to seek to enjoin the SOS or other officer from certifying or printing the official ballot that will include a contested initiative or referendum measure.
7. Contains a legislative findings and intent clause.
8. Contains a severability clause.
9. Makes technical and conforming changes.

Current Law

Any person or organization intending to propose a law or constitution amendment by initiative or file a referendum petition is required to file an application and statement of organization with the SOS ([A.R.S. § 19-111](#)). All paid circulators who receive monetary or other compensation based on the number of signatures obtained on a petition or the number of petitions circulated for a statewide ballot measure are required to register as circulators with the SOS before circulating any petitions. The SOS is required to disqualify all signatures collected by a circulator who fails to register ([A.R.S. § 19-118](#)).

Every qualified elector that signs a petition must do so in the presence of the person who is circulating the petition. The person before whom the signatures are signed must submit an affidavit swearing before a notary public that each of the names on the sheet were signed by the elector ([A.R.S. § 19-](#)

[112](#)). All petitions are required to be filed with the SOS, which must remove any sheets or signatures that do not comply with statutory requirements (A.R.S. §§ [19-121](#) & [19-121.01](#)).